

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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LOUBERT ALEXANDRE, YVON AUGUSTIN, MAX CHARTELAIN, WILFRED GERMAIN, CLAUDE LESSAGE, and JEAN PIERRE, INDIVIDUALLY AS OWNERS OF YELLOW CAB MEDALLIONS IN THE CITY OF NEW YORK AND ON BEHALF OF A CLASS OF ALL OWNERS SIMILARLY SITUATED, AS WELL AS INDIVIDUALLY, TOGETHER WITH MAMNUNUL HAQ and ASIM AKHTAR, AS HOLDERS OF HACK LICENSES IN THE CITY OF NEW YORK AND AS REPRESENTATIVES ON BEHALF OF A CLASS OF ALL HOLDERS OF HACK LICENSES IN THE CITY OF NEW YORK, and the NEW YORK TAXI WORKERS ALLIANCE,

07 Civ. 8175 (RMB)

**DECLARATION OF
PAULA VAN METER**

Plaintiffs,

-against-

THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION, MATTHEW DAUS, AS COMMISSIONER/CHAIR OF THE NEW YORK CITY TAXI AND LIMOUSINE COMMISSION, AND THE CITY OF NEW YORK,

Defendants.

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PAULA VAN METER, hereby declares, pursuant to 28 U.S.C. §1746 subject to the penalties of perjury, that the following statements are true:

1. I am an Assistant Corporation Counsel in the office of MICHAEL A. CARDOZO, Corporation Counsel of the City of New York, attorney for the New York City Taxi and Limousine Commission ("TLC"), TLC Commissioner and Chairman Matthew Daus, and the City of New York ("City"), collectively the defendants herein. I submit this declaration in opposition to plaintiffs' application for a preliminary injunction seeking to restrain the TLC from

implementing and enforcing its Taxicab Technology System ("TTS") Rules. More specifically, this declaration is submitted to place documents on the record in support of facts presented in Defendants' Memorandum of Law submitted herewith.

2. The following documents, which are referenced in the Defendants' Memorandum of Law, are annexed hereto:

- A. The Declaration of Andrew Salkin, Deputy Commissioner of the TLC, dated September 23, 2007, submitted at the Court's request on September 23, 2007.
- B. The Declaration of Andrew Salkin, dated September 24, 2007.
- C. The Published TTS Rules approved on March 30, 2004, together with the Statement of Basis and Purpose.
- D. The Declaration of Ira Goldstein, TLC Chief of Staff, dated September 24, 2007.
- E. The Affidavit of Amos Tamam, President of Verifone Transportation Systems, Inc., dated September 21, 2007.
- F. The Affidavit of Jesse Davis, President of Creative Mobile Technologies, LLC., dated September 24, 2007.
- G. Contract form, between TLC and TTS vendors.

Dated: New York, New York
September 24, 2007



PAULA VANMETER